

APPEAL

**U.S. Bankruptcy Court
Western District of Texas (El Paso)
Bankruptcy Petition #: 21-30071-hcm**

Assigned to: Bankruptcy Judge H. Christopher Mott
Chapter 11
Voluntary
Asset

Date filed: 02/02/2021
Plan confirmed: 10/15/2021
341 meeting: 03/04/2021
Deadline for filing claims: 06/02/2021

Debtor
The Gateway Ventures, LLC
154 N. Festival Dr., Suite D
El Paso, TX 79912
EL PASO-TX
Tax ID / EIN: 83-2804095

represented by **Jeff Carruth**
Weycer Kaplan Pulaski & Zuber, P.C.
24 Greenway Plaza, #2050
Houston, TX 77046
713-341-1158
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Filing Date	#	Docket Text
03/24/2022	<u>297</u>	Notice of Appeal Filed by Michael R. Nevarez for Creditors Suhail Bawa, Saleem Makani, Westar Investors Group, LLC (Filing Fee:\$ 298.00) (Nevarez, Michael) (Attachments: # <u>1</u> Exhibit)(related document(s): <u>293</u> Order Regarding (related document(s): <u>282</u> Second Emergency Motion Second Motion To Enforce The Chapter 11 Plan, and Award Other Miscellaneous Relief (DOC #231, 245, 246 and 278) (\$100,000.00) filed by Michael R. Nevarez for Creditors Suhail Bawa, Saleem Makani, Westar Investors Group, LLC (Attachments: # 1 Exhibit # 2 Exhibit # 3 Exhibit # 4 Exhibit # 5 Exhibit # 6 Exhibit # 7 Exhibit # 8 Proposed Order)) (Order entered on 3/11/2022))

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:	§	
	§	
THE GATEWAY VENTURES, LLC,	§	CASE NO. 21-30071-HCM
	§	
REORGANIZED DEBTOR.	§	CHAPTER 11

**WESTAR INVESTORS GROUP, LLC, SUHAIL BAWA, AND SALEEM MAKANI’S
NOTICE OF APPEAL
(DOC#293)**

TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. BANKRUPTCY JUDGE:

COME NOW WESTAR INVESTORS GROUP, LLC, SUHAIL BAWA, and SALEEM MAKANI, creditors and parties-in-interest (hereinafter referred to as “Appellants”), by and through the undersigned counsel, and hereby timely appeal to the United States District Court of the Western District of Texas, within 14 days after entry of the judgment, order, or decree being appealed, pursuant to 28 U.S.C. §158(a)(1), and in accordance with Fed. R. Bankr. P. 8002(a)(1), from the following Order of the United States Bankruptcy Court for the Western District of Texas, in the instant case:

- a) “Order Denying Second Emergency Motion To Enforce Plan” (DOC#293), signed on March 10, 2022, and entered on March 11, 2022, a copy of which is attached hereto as Exhibit A.

The names of the parties to the above-described Order, appealed from herein, and the name and address of their attorney, are as follows:

REORGANIZED DEBTOR:
The Gateway Ventures, LLC
154 N. Festival Dr., Suite D
El Paso, TX 79912

ATTORNEY FOR REORGANIZED DEBTOR:

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CREDITORS AND PARTIES-IN-INTEREST:

Westar Investors Group, LLC
750 York Ct.
Lewisville, TX 75056

Suhail Bawa
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Lewisville, TX 75056

Saleem Makani
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ATTORNEY FOR DEBTOR:

Michael R. Nevarez
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March 24, 2022

Respectfully submitted,

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/s/ Michael R. Nevarez

By: **MICHAEL R. NEVAREZ**
State of Texas Bar No. 14933400

Attorney for WESTAR INVESTORS GROUP, LLC,
SUHAIL BAWA, and SALEEM MAKANI

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **WESTAR INVESTORS GROUP, LLC, SUHAIL BAWA, and SALEEM MAKANI'S NOTICE OF APPEAL** was served either by electronic means as listed on the Court's ECF noticing system, or by regular first-class mail, postage prepaid, to the following parties in interest, on or before March 24, 2022:

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REORGANIZED DEBTOR:

The Gateway Ventures, LLC
154 N. Festival Dr., Suite D
El Paso, TX 79912

**EQUITY SECURITY HOLDERS
ALL UNSECURED CREDITORS
ALL SECURED CREDITORS
ALL PARTIES IN INTEREST**

/s/ Michael R. Nevarez

By: **MICHAEL R. NEVAREZ**

Label Matrix for local noticing

0542-3

Case 21-30071-hcm

Western District of Texas

El Paso

Wed Feb 23 12:03:01 CST 2022

U.S. BANKRUPTCY COURT

511 E. San Antonio Ave., Rm. 444

EL PASO, TX 79901-2417

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Ashish Nayyar

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Comptroller of Public Accounts

C/O Office of the Attorney General

Bankruptcy - Collections Division MC-008

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HD Lending, LLC

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Texas Attorney General

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(p) TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
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Jeff Carruth
 Weycer Kaplan Pulaski & Zuber, P.C.
 24 Greenway Plaza, #2050
 Houston, TX 77046-2445

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Texas Commission on Environmental Qualit
 Reg. 6 Office Compliance Enforcement
 401 E Franklin Ave, Suite 560
 El Paso, TX 79901-1212

End of Label Matrix
 Mailable recipients 38
 Bypassed recipients 0
 Total 38



The relief described hereinbelow is SO ORDERED.

Signed March 10, 2022.

A handwritten signature in black ink, appearing to read "H. Mott".

H. CHRISTOPHER MOTT
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

IN RE: §
THE GATEWAY VENTURES, LLC § CASE NO. 21-30071-hcm
Debtor. § (Chapter 11)

ORDER DENYING SECOND EMERGENCY MOTION TO ENFORCE PLAN

On March 10, 2022, the Court conducted a hearing on the Second Emergency Motion to Enforce the Chapter 11 Plan and Related Relief (“Motion”)(dkt# 282) filed by Westar Investors Group, LLC, Suhail Bawa, and Saleem Makani (collectively “Westar Group”). The Gateway Ventures, LLC (“Reorganized Debtor”) filed a Response to the Motion (“Response”)(dkt# 291). Appearing at the hearing were counsel for the Westar Group; counsel for the Reorganized Debtor; counsel for Suresh Kumar; and Mr. Michael Dixon of the Reorganized Debtor.

The Court has considered the Motion, the Response, the exhibits, the evidence, the record in this case, and the statements and arguments of counsel. For the reasons stated by the Court on the record at the hearing on March 10, 2022, the Court finds that the Motion should be denied, and the following Order should be entered.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED AS FOLLOWS:

1. The Second Emergency Motion to Enforce the Chapter 11 Plan and Related Relief (“Motion”)(dkt# 282) filed by Westar Investors Group, LLC, Suhail Bawa, and Saleem Makani (collectively “Westar Group”) is hereby DENIED.

2. This Order is without prejudice to the remedy provided to the Westar Investors Group, LLC in section 5.8.2(4) of the First Amended Plan of Reorganization as Modified confirmed by the Court and any remedy that may be provided by section 1112(b) of the Bankruptcy Code.

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